

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

DAVID JONES,  
Petitioner,

vs

WARDEN, MARION  
CORRECTIONAL INSTITUTION,  
Respondent.

Case No. 1:17-cv-741

Dlott, J.  
Litkovitz, M.J.

**ORDER**

This matter is before the Court on respondent's Motion for Reconsideration of the Court's November 20, 2018 Order, which granted petitioner's request for the production of his mental health records. (Doc. 20). The Court ordered respondent to produce copies of petitioner's mental health records within twenty-one (21) days and granted petitioner an extension of time of thirty (30) days from the receipt of the mental health records to file a response to respondent's pending motion to dismiss.

Respondent seeks reconsideration of the Court's Order on the basis that Ohio Department of Rehabilitation and Correction (ODRC) policy does not permit petitioner to obtain or retain copies of his records. Respondent indicates it is prepared to provide petitioner with the ability to review his mental health records in accordance with ODRC policy 07-ORD-11.

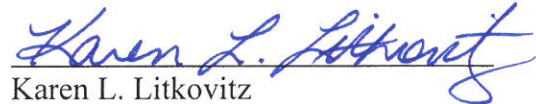
For good cause shown, respondent's motion (Doc. 20) is hereby **GRANTED** to the extent that the Court's November 20, 2018 Order is vacated insofar as it ordered respondent to provide petitioner with copies of his mental health records. Respondent is **ORDERED** to provide petitioner with the opportunity to review the contents of his personal mental health record in accordance with ODRC policy 07-ORD-11 **within ten (10) days** of the date of this Order. Respondent is **FURTHER ORDERED** to file under seal a copy of petitioner's mental

health records for in camera review **within ten (10) days** of the date of this Order.

Consistent with the Court's November 20, 2018 Order, petitioner shall have **thirty (30) days** from the date he is permitted to review his mental health records to file a response to respondent's motion to dismiss.

**IT IS SO ORDERED.**

Date: 12/13/18

  
Karen L. Litkovitz  
United States Magistrate Judge